

AO ____

Order Regarding Motion for Sentence Reduction

UNITED STATES DISTRICT COURT

NORTHERN

District of

NEW YORK

UNITED STATES OF AMERICA

V.

ORDER AND AMENDED JUDGMENT
REGARDING MOTION FOR SENTENCE
REDUCTION PURSUANT TO 18 U.S.C. § 3582(c)(2)

REGGIE COOLEY

Case Number: 1:01-cr-293-002 (FJS)USM Number: 12165-052Peter Fitzgerald, Esq.

Defendant's Attorney

Date of Previous Judgment: August 29, 2002

(Use Date of Last Amended Judgment if Applicable)

Upon motion of X the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

X GRANTED and the defendant's previously imposed sentence of imprisonment of 66 months on Counts 3 and 4 (as reflected in the last judgment issued) is reduced to 54 months and shall be served consecutively with a previously imposed term of imprisonment of 120 months. on Count 6 for a total imprisonment term of 174 months .

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)Previous Offense Level: 29Amended Offense Level: 27Criminal History Category: ICriminal History Category: IPrevious Guideline Range: 87 to 108 monthsAmended Guideline Range: 51 to 63 months**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

x The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (**explain**): _____

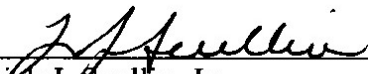
III. ADDITIONAL COMMENTS

All provisions of the judgment dated August 29, 2002 shall remain in effect.

IT IS SO ORDERED.

October 22, 2008

Order Date


Frederick J. Scullin, Jr.
Senior United States District Court Judge